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10/590,498	08/24/2006	Naruhito Nakahara	500.46461X00	1068

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EXAMINER
LEBASSI, AMANUEL

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *24 August 2006*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-13* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-13* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *24 August 2006* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☒ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Mandzado et al US 6490294 in view of Bussiere US 6041042.

Regarding claim 1, Mandzado discloses a communication terminal

apparatus to be connected to a communication network through a control

operation using a Point to Point Protocol (PPP) **(see col. 1, lines 14-20 - point-

to-point connections)**. Mandzado discloses a phase information combination

section for combining a plurality of control phase information items regarding the

PPP with each other **(see abstract where controllers are coupled using a

packet-switched network).** Mandzado discloses an encapsulation section for

converting data created by the phase information combination section to conform

to the communication network **(col. 11, lines 5-9 where de-encapsulation is

accomplished by removing the header and trailer information and passing

only the payload data to the downlink buffer and col. 10, lines 47-56 where

packetizer encapsulates and de-encapsulates isochronous data).**

Mandzado discloses a data transmission section to transmit the data converted by the phase information combination section via the communication network to a communication apparatus (**col. 11, lines 7-9 -- passing the payload data to the downlink buffer and Fig. 3, step 56**).

However, Mandzado is silent on disclosing transmitting data converted by the phase information as a destination. Bussiere teaches transmitting data converted by the phase information as a destination (**col. 4, lines 2-10 where during the data transfer phase, data is transmitted from the source device to the destination device along the connection path**).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to modify the inventions of Mandzado and add that of Bussiere. The motivation would be to make possible for all traffic seen on the port being monitored to be transmitted to destination location for analysis (**col. 2, lines 14-16).**

Regarding claim 2, Mandzado discloses a communication terminal apparatus to be connected to a communication network using a Point to Point Protocol (PPP) (**see col. 1, lines 14-20 - point-to-point connections**). Mandzado discloses a plurality of phase processing sections for executing a plurality of control processing for the PPP connection in parallel (**see abstract - where controllers are coupled using a packet-switched network**). Mandzado discloses a data receiving section for receiving data via the

communication network from a communication partner (abstract – where the

controller receives one or more isochronous input channels from a common

control shelf). Mandzado discloses a packet development section for

discriminating a phase information item in the data received by the receiving

section and transmitting the phase information item to a phase processing

section conforming thereto (**col. 11, lines 5-9 where de-encapsulation is**

accomplished by removing the header and trailer information and passing

only the payload data to the downlink buffer). Mandzado discloses a phase

information combination section for receiving the phase information items

processed by the plural phase processing sections and combining the plural

phase information items with each other **(see abstract where controllers are**

coupled using a packet-switched network). Mandzado discloses an

encapsulation section for converting data created by the phase information

combination section to conform to the communication network **(col. 11, lines 5-9**

where de-encapsulation is accomplished by removing the header and

trailer information and passing only the payload data to the downlink buffer

and col. 10, lines 47-56 where packetizer encapsulates and de-encapsulates

isochronous data). Mandzado discloses a data transmission section for

transmitting the data converted by the encapsulation section via the

communication network to the communication partner (**col. 11, lines 7-9 --**

passing the payload data to the downlink buffer and Fig. 3, step 56).

However, Mandzado is silent on disclosing transmitting data converted by the encapsulation section to the communication partner. Bussiere teaches transmitting data converted by the encapsulation section to the communication partner (**col. 6, lines 21-22 where the encapsulated packet is received by the egress device**).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to modify the inventions of Mandzado and add that of Bussiere. The motivation would be to make possible for all traffic seen on the port being monitored to be transmitted to destination location for analysis (**col. 2, lines 14-16).**

Regarding claim 3, Mandzado discloses a communication terminal apparatus characterized in that the phase processing section comprises an LCP phase processing section, an authentication phase processing section, and an NCP phase processing section (col. 5, lines 51-54).

Regarding claim 4, Mandzado discloses a communication terminal apparatus characterized in that the phase information combination section combines an LCP information item, an authentication information item, and an NCP information item with each other (col. 5, lines 47-54).

Regarding claim 5, Mandzado discloses a communication terminal apparatus characterized in that the phase information combination section combines an LCP information item, an authentication information item, and an NCP information item with each other (col. 5, lines 47-54).

Regarding claim 6, Mandzado discloses a communication terminal apparatus characterized in that the phase information combination section combines an LCP information item, an authentication information item, and an NCP information item with each other (col. 5, lines 47-54).

Regarding claim 7, see similar rejection claim 1.

Regarding claim 8, see similar rejection claim 2.

Regarding claim 9, see similar rejection claim 3.

Regarding claim 10, see similar rejection claim 4.

Regarding claim 11, see similar rejection claim 5.

Regarding claim 12, see similar rejection claim 6.

Regarding claim 13, Mandzado discloses a communication method of

conducting communication between a communication terminal apparatus and a

network access apparatus connected to a communication network using a Point

to Point Protocol (PPP) **(see col. 1, lines 14-20 - point-to-point connections**).

Mandzado discloses the steps of: executing, by a transmission-side apparatus, a

plurality of control processing for the PPP connection in parallel (**see abstract -**

where controllers are coupled using a packet-switched network).

Mandzado discloses creating a plurality of information items regarding control

phases **(col. 3, lines 39-44 and col. 8, lines 43-46)** and transmitting first data

created by combining the plural information items, via the communication

network to a receiving-side apparatus (**col. 11, lines 5-9 where de-**

encapsulation is accomplished by removing the header and trailer

information and passing only the payload data to the downlink buffer and

col. 10, lines 47-56 where packetizer encapsulates and de-encapsulates

isochronous data) and discriminating, by the receiving-side apparatus,

respective information items in the received first data created by combining the

plural information items **(col. 11, lines 5-7 and lines 15-18 where respective**

information items are discriminated at the receiver) . Mandzado discloses

executing a plurality of control processing corresponding to the information items

in parallel (**col. 9, lines 8 – 10).** However Mandzado is silent on transmitting

second data created by combining information items regarding plural control

results, via the communication network to the transmission-side apparatus.

Bussiere teaches transmitting second data created by combining

information items regarding plural control results, via the communication network

to the transmission-side apparatus (**col. 6, lines 21-29 where the modified**

packet is returned to its original form by having de-encapsulation logic in

the egress device).

Therefore it would have been obvious to one of ordinary skill in the art at

the time of invention to modify the inventions of Mandzado and add that of

Bussiere.   The motivation would be to establish the communication path (**col. 2,**

lines 39-44).

Conclusion

1.   Any inquiry concerning this communication or earlier communications from

the   Examiner should be directed to Amanuel Lebassi, whose telephone number is

(571) 270-5303. The Examiner can normally be reached on Monday-Thursday from

8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for

the organization where this application or proceeding is assigned is (571) 273-

8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist/customer service whose telephone

number is (571) 272-2600.

Amanuel Lebassi

/A. L./

4/23/2009

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617